



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**AUCTIONEER COMMISSION**  
Davy Crockett Tower, Suite 635  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243-1152  
(615) 741-3236

The Tennessee Auctioneer Commission held its meeting May 19, 2008 at 9:00 a.m. in Nashville, Tennessee, at the Davy Crockett Tower, Room 640. Chairman Kenneth Dreaden called the meeting to order. The following business was transacted.

**COMMISSION MEMBERS PRESENT**

Kenneth Dreaden  
Bobby Colson  
Marvin Alexander  
Howard Phillips

**STAFF MEMBERS PRESENT**

Lynn McGill, Administrative Director  
Sheila Piper, Administrative Assistant  
Adrian Chick, Staff Attorney

**COMMISSION MEMBER ABSENT**

Mary Frances Rudy

**ADOPT AGENDA**

Motion was made by Howard Phillips and seconded by Marvin Alexander to adopt agenda. Motion carried. No opposition.

**MINUTES**

Minutes from the meeting of April 7, 2008 were presented to the Commission Members for approval. Motion was made by Marvin Alexander and seconded by Howard Phillips to approve said minutes. Motion carried. No opposition

The apprentice application of Larry David Baker, Clarkrange, TN was presented to the Commission Members for approval. Motion was made by Howard Phillips and seconded by Marvin Alexander to approve application. Motion carried. No opposition.

Staff Attorney presented the following complaints to the Commission Members.

**1. L08-AUC-RBS-2008003741.**

**COMPLAINT:** Complaint alleges that the Respondent firm is holding auctions on a regular basis, using another firm's license number and auctions are being conducted by an unlicensed auctioneer. Accompanying the complaint is what appears to be a photocopy of an advertisement for two auctions.

Motion was made by Marvin Alexander and seconded by Bobby Colson to send an Minutes

investigator and open a separate complaint on the unlicensed auctioneer. Motion carried. No opposition.

## **2. L08-AUC-RBS-200800709. ANTIQUE GEEK**

**Complaint:** Complaint alleges that the Respondent advertised without including the firm license number.

**Response:** Respondent states failure to include the firm license number was an oversight and apologizes.

Motion was made by Bobby Colson and seconded by Howard Phillips to take Legal's recommendation to send Letter of Warning. Motion carried. No opposition.

## **3. L08-AUC-RBS-2008010311.TERRY'S FURNITURE & AUCTIONS**

**Complaint:** Complaint alleges that she attended the Respondent's auction with her boyfriend who is hearing impaired. The complainant was signing to her boyfriend as the auction proceeded. At one point during the auction, an employee of the auction said, "Folk's if you are out there talking with your hands, and your hand is in the air, we are going to accept it as a bid!". The complainant and her boyfriend were offended by this statement.

**Response:** The Respondent had no intent of offending anyone. The comment was addressed at people in general who were making hand motions during the auctions.

Motion was made by Marvin Alexander and seconded by Bobby Colson to take Legal's recommendation to dismiss. Motion carried. No opposition.

## **4. L07-AUC-RBS-2007084311. UNKNOWN**

**Complaint:** Complaint alleges that auctions are being conducted without proper licensure in a certain east Tennessee area. The complaint lists five different operations, but does not contain any additional documentation, specific names, locations, addresses, or types of the alleged unlicensed activity. An investigation was conducted. The investigator contacted the complainant in an effort to obtain additional information. No reliable evidence was received during the investigation to support a specific allegation.

Motion was made by Marvin Alexander and seconded by Bobby Colson to take Legal's recommendation to dismiss. Motion carried. Howard Phillips recused himself.

Nashville Auction School Continuing Education Seminar date is May 20, 2008 at the Best Western Smokehouse Lodge and Conference Center in Monteagle, Tennessee.

Howard Phillips discussed the new law pertaining to Motor Vehicle Auctions that will become effective January 1, 2009. Staff Attorney had questions concerning the new law. This is to be discussed on June 2, 2008.

Motion was made by Marvin Alexander and seconded by Howard Phillips to invite our Assistant Commissioner to our next Commission Meeting on June 2<sup>nd</sup> to discuss employing a full-time investigator. Motion carried. No opposition

May 19, 2008

Motion was made by Howard Phillips and seconded by Bobby Colson that Nashville Auction

School, or any other approved provider, submit a draft outline of required 30 hours of education to obtain a Public Automobile Auctioneer License. Motion carried. No opposition.

Motion was made by Marvin Alexander and seconded by Bobby Colson to adjourn. Motion carried. No opposition

May 19, 2008

APPROVED:

Kenneth Dreaden  
Chairperson

Howard Phillips  
Vice-Chairperson

Marvin Alexander  
Board Member

Bobby Colson  
Board Member

Mary Frances Rudy  
Board Member